

**VETERINARY MEDICAL BOARD
INITIAL STATEMENT OF REASONS**

HEARING DATE: Tuesday, July 8, 2003

SUBJECT MATTER OF PROPOSED REGULATIONS:

Criteria for Evaluation of Registered Veterinary Technician (RVT) Programs

1. Section 2065. Criteria for Evaluation of Equivalent Programs
2. Section 2065.7. Inspections
3. Section 2065.8. Probation
4. Section 2065.8.A. Withdrawal of Approval
5. Section 2065.8.B. Procedures for Probation or Withdrawal of Approval
6. Section 2065.8.C. Director Notification

SPECIFIC PURPOSE OF EACH ADOPTION OR AMENDMENT:

Section 2065. Amend Section 2065 to require the school to initiate a written agreement with the clinical rotation/externship sites and to visit those sites prior to beginning student rotations and externships. The proposed amendment outlines education, teaching experience, and training requirements for program directors, interim program directors, and instructors, and defines the student-to-instructor ratio for lab classes. This amendment would require the school to disclose to the student, prior to enrollment, the school's pass rate for first time candidates and the state average pass rate for the RVT exam for first time candidates within the two years immediately preceding enrollment, along with a description of RVT registration requirements. The amendment would also require the school to provide prospective students with information in writing regarding transferability of units.

Section 2065.7. Amend Section 2065.7 to explain that, if for a period of two years, a school's yearly average pass rate on the RVT exam falls below 10 percentage points of the state average pass rate for first time candidates, the Board may conduct subsequent inspections.

Section 2065.8. Amend Section 2065.8 to define the circumstances for placing a school on probation, and to extend the limit for prescribed probation time to two years. The proposed amendment would also require the school to notify current and prospective students and employees of their probationary status in writing.

Section 2065.8.A. Adopt Section 2068.8.A to define the circumstances for withdrawal of approval of accreditation.

Section 2065.8.B. Adopt Section 2065.8.B to outline procedures to place a school on probation or withdraw approval of accreditation.

Section 2065.8.C. Adopt Section 2065.8.B to specify the time frame for notification to the board of program director changes.

FACTUAL BASIS:

Section 4808 of the Business and Professions Code authorizes the board to adopt, amend, or repeal such rules and regulations as are necessary to carry into effect the provisions of Chapter 11, Veterinary Medicine.

The Board is mandated under Section 4843 to approve schools offering a curriculum for training registered veterinary technicians. As a consumer protection agency, the Board also has a responsibility to protect prospective students enrolling in a registered veterinary technician program. In June 2002 the RVT Committee established a task force to clarify existing regulations that address these issues. The task force consisted of school inspection team members, RVT Committee members, and RVT program directors from two California-approved schools.

Section 2065.

Students in the veterinary technician program are required to complete a minimum of 200 hours of clinical instruction, which includes rotation through various hospitals, plus an externship of 200 hours. During site visits inspectors have determined that sometimes students are not being adequately monitored during their rotations and externships and have recommended that the schools remain more involved in this process. Schools should take a proactive role in placing students in clinical situations where they will be taught the skills necessary to successfully complete their education. The schools must develop a standard protocol for rotational clinics to meet in order to participate in the program and there should be specific training criteria for rotational clinics to follow while training students to ensure a consistent clinical experience.

Existing regulations do not address a hospital site visit and written agreement between the school and the particular hospital before the school commits to a student rotation/externship relationship with a particular hospital. The proposed regulation would require the school to have a written agreement with the rotational clinic and externship hospital that outlines the expectations and responsibilities of the school and the hospital. A staff member of the school would be required to visit the hospital site before beginning the clinical rotation or externship relationship with that hospital.

The teaching experience, educational requirements, and training for the program director, interim program director and instructors should be clearly defined in regulations. Based on on-going inspections, there is a need for instructors to possess skills in educational techniques as well as having adequate technical training and background to teach the skills required of an RVT. Inspection team members feel strongly that training courses and continuing education in educational methodology would greatly benefit instructors and RVT programs overall. Inspection team members have recommended that all new instructors acquire training in education techniques before actually teaching students and the RVTC has recommended that minimum standards for teaching skills should be established in regulation.

The existing regulation does not contain separate qualifications for program directors and instructors and does not detail specific requirements for program directors in the areas of teaching experience, administration, or clinical supervision. The proposed regulation would outline and clarify the specific qualifications in these areas for the position of interim program director and permanent program director. The proposed regulation would also limit an interim program director's term to 18 months, and require him/her to meet the same requirements of a permanent program director, except that the interim is allowed to be in the process of applying for their license. The proposed regulation would require all instructors to have completed or currently be receiving training in current teaching methods, and explains that each instructor should have a daily lesson plan correlating the theory and practice of the subject they are teaching.

Existing regulation requires the school to provide prospective students with the school's pass rate on the RVT exam for the two-year period preceding the student's enrollment, along with information regarding transferability of units. The proposed regulation would require a change in the format the schools use to disclose the pass rates and transferability of units to prospective students so that there is no confusion prior to enrollment. The proposed regulation would require the school to disclose to the student, prior to enrollment, the school's pass rate for first time candidates, and the state average pass rate for first time candidates within the last two years on the RVT exam. The proposed regulation would also require that the information the school provides to students regarding transferability of units be provided in writing.

Section 2065.7.

Existing regulations allow for the Board to conduct a subsequent inspection in addition to the regularly scheduled 4-year site visit, when a school's overall pass rate remains at 40% or lower for 4 consecutive exams. The 4 consecutive exam period equates to 2 years. This presents a problem if after 3 exams at a low pass rate, the 4th exam rate increases for one exam, and then decreases again, restricting the Board to wait for 4 more consecutive exam pass rate decreases before taking formal any action other than subsequent reinspections and special monitoring. In the meantime, students are bearing the burden.

The proposed regulation would allow the RVTC to conduct subsequent inspections, when, for a period of two years, the program's yearly average pass rate on the RVT exam falls below 10 percentage points of the state average pass rate for first time candidates on the RVT exam. Typically, there can be a 10% difference in pass percentage between first time test takers and repeat test takers. This proposed regulation would reflect a more accurate and realistic method of measuring and addressing pass rate problems, instead of using an overall candidate pass percentage, and more clearly explains when subsequent inspections are indicated.

Section 2065.8.

Under existing regulation the Board has the authority to place a school on probation on the basis of non-compliance, however, the circumstances for placing a school on probation are not clearly defined. The proposed regulation would clarify these circumstances and would reflect the more accurate measurement of pass rate problems and when probation may be indicated. The proposed regulation would also require the school to notify all prospective and current students and employees of a probation status.

Section 2065.8.A.

Under existing regulation the Board has the authority to withdraw a school's accreditation after identifying for the school the areas where it has deviated from the standards of approval, and after giving the school due notice and an opportunity to be heard. Although the Board attempted through existing regulation to address justification for withdrawal of approval of accreditation, the existing regulation is vague and does not define specific violations. The proposed regulation would clearly define the circumstances for withdrawal of accreditation

Section 2065.8.B.

Under existing regulation the Board has the authority to place a school on probation or withdraw a school's accreditation after identifying for the school the areas where it has deviated from the standards of approval, and after giving the school due notice and an opportunity to be heard. Existing regulation combines the subjects of circumstances of probation, terms and conditions of probation, revocation of the school's approval, and procedures for placing a school on probation or withdrawing accreditation.

The proposed regulation, for clarification purposes, would outline the procedures for placing a school on probation or withdrawing a school's accreditation separately from probation and accreditation withdrawal circumstances. The proposed regulations would explain the Board's responsibility to provide the school with due notice and an opportunity for hearing.

Section 2065.8.C

Existing regulations require the Board to conduct a subsequent inspection whenever there has been a change in program director in charge of the curriculum for training RVTs, and requires the schools to immediately notify the board if there is any change in faculty. Currently there are no specific timeframes for notifying the Board regarding the resignation and replacements of a program director and interim program director. The proposed regulation would establish an exact time frame for reporting program director changes in a timely manner.

UNDERLYING DATA:

Technical, theoretical or empirical studies or reports relied upon:

1. Excerpts from Board and Committee Meeting Minutes:
 - A. VMB Board Meeting –
April 2003
 - B. RVT Committee Meeting
July 2002
April 2003
 - C. California Approved RVT School Regulation Subcommittee Meetings – No minutes
June 2002
July 2002

BUSINESS IMPACT

These regulations will not have a significant adverse economic impact on businesses.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

These regulations do not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES

No alternative which was considered would be either more effective than or equally as effective as and less burdensome to affected private persons than the proposed regulations.